JAMES E. RISCH - Governor KARL B. KURTZ - Director DEBRA RANSOM, R.N.,R.H.I.T., Chief BUREAU OF FACILITY STANDARDS 3232 Elder Street P.O. Box 83720 Boise, ID 83720-0036 PHONE 208-334-6626 FAX 208-364-1888

CERTIFIED MAIL: 7000 1670 0011 3314 9146

August 15, 2006

M. Denise Hall, Administrator The Orchards Rehabilitation & Care Center 1014 Burrell Avenue Lewiston, ID 83501

Provider #: 135103

Dear Ms. Hall:

On July 25, 2006, a fire safety survey was conducted at The Orchards Rehabilitation & Care Center by the Bureau of Facility Standards/Department of Health & Welfare to determine if your facility was in compliance with State Licensure and Federal participation requirements for nursing homes participating in the Medicare and/or Medicaid programs. This survey found that your facility was not in substantial compliance with Medicare and Medicaid program participation requirements. This survey found the most serious deficiency in your facility to be isolated deficiencies that constitute no actual harm, but have potential for more than minimal harm and are not an immediate jeopardy, as evidenced by the attached CMS Form 2567L whereby corrections are required.

Enclosed is a Statement of Deficiencies/Plan of Correction, CMS Form 2567L, listing Medicare/Medicaid deficiencies, and a similar form listing licensure health deficiencies. In the spaces provided on the right side of each sheet, answer each deficiency and state the date when each will be completed. Please provide ONLY ONE completion date for each Federal/State Tag in column X5 (Complete Date), to signify when you allege that each tag will be back in compliance. NOTE: The alleged compliance date must be after the "Date Survey Completed" (located in field X3) and on or before the "Date Certain" (listed on page 2). After each deficiency has been answered and dated, the administrator should sign both the CMS Form 2567L and State Statement of Deficiencies, in the spaces provided, and return the originals to this office.

Your Plan of Correction (PoC) for the deficiencies must be submitted by August 28, 2006. Failure to submit an acceptable PoC by August 28, 2006, may result in the imposition of civil monetary penalties by September 18, 2006.

Your PoC must contain the following:

- What corrective action(s) will be accomplished for those residents found to have been affected by the deficient practice;
- How you will identify other residents having the potential to be affected by the same deficient practice and what corrective action(s) will be taken;
- What measures will be put into place or what systemic changes you will make to ensure that the deficient practice does not recur;
- How the corrective action(s) will be monitored to ensure the deficient practice will not recur, i.e., what quality assurance program will be put into place; and,
- Include dates when corrective action will be completed.

All references to federal regulatory requirements contained in this letter are found in *Title 42*, *Code of Federal Regulations*.

Remedies will be recommended for imposition by the Centers for Medicare and Medicaid Services (CMS), if your facility has failed to achieve substantial compliance by August 29, 2006 (Date Certain). Informal dispute resolution of the cited deficiencies will not delay the imposition of the enforcement actions recommended (or revised, as appropriate) on August 29, 2006. A change in the seriousness of the deficiencies on August 29, 2006, may result in a change in the remedy.

The remedy, which will be recommended if substantial compliance has not been achieved by August 29, 2006 includes the following:

Denial of payment for new admissions effective October 25, 2006. [42 CFR §488.417(a)]

If you do not achieve substantial compliance within three (3) months after the last day of the survey identifying noncompliance, the CMS Regional Office and/or State Medicaid Agency must deny payments for new admissions.

We must recommend to the CMS Regional Office and/or State Medicaid Agency that your provider agreement be terminated on January 1, 2007, if substantial compliance is not achieved by that time.

Please note that this notice does not constitute formal notice of imposition of alternative remedies or termination of your provider agreement. Should the Centers for Medicare & Medicaid Services determine that termination or any other remedy is warranted, it will provide you with a separate formal notification of that determination.

If you believe these deficiencies have been corrected, you may contact me with your written credible allegation of compliance at the following address:

Bureau of Facility Standards — DHW

M. Denise Hall, Administrator August 15, 2006 Page 3 of 3

> 3232 Elder Street P.O. Box 83720 Boise, ID 83720-0036

If you choose and so indicate, the POC may constitute your allegation of compliance. We may accept the written allegation of compliance and presume compliance until substantiated by a revisit or other means. In such a case, neither the CMS Regional Office nor the State Medicaid Agency will impose the previously recommended remedy if appropriate.

If, upon the subsequent revisit, your facility has not achieved substantial compliance, we will recommend that the remedies previously mentioned in this letter be imposed by the CMS Regional Office or the State Medicaid Agency beginning on **July 25**, 2006 and continue until substantial compliance is achieved. Additionally, the CMS Regional Office or State Medicaid Agency may impose a revised remedy(ies), based on changes in the seriousness of the non-compliance at the time of the revisit, if appropriate.

In accordance with 42 CFR 488.331, you have the opportunity to question cited deficiencies through an informal dispute resolution process. To be given such an opportunity, you are required to send a written request which states the specific deficiencies being disputed, and explains why you are disputing those deficiencies. This request must be received by **August 28, 2006**.

All required information should be as directed in Informational Letter #2001-10. Informational Letter #2001-10 can also be found on the Internet at:

http://www.healthandwelfare.idaho.gov/ Rainbow/Documents/medical/2001 10.pdf http://www.healthandwelfare.idaho.gov/ Rainbow/Documents/medical/2001 10 attach1.pdf

If your request for informal dispute resolution is received after August 28, 2006, the request will not be granted. An incomplete informal dispute resolution process will not delay the effective date of any enforcement action.

Thank you for the courtesies extended to us during the survey. If you have any questions, please contact us at (208) 334-6626.

Sincerely,

MARK P. GRIMES

Supervisor

Facility Fire Safety and Construction

MPG/dmj

Enclosures

PRINTED: 08/14/2006 FORM APPROVED OMB NO. 0938-0391

		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) M A. BUI		PLE CONSTRUCTION  G 01 - ENTIRE BUILDING		X3) DATE SURVEY COMPLETED	
		135103	B. WI	IG		07/25	5/2006	
NAME OF PROVIDER OR SUPPLIER  THE ORCHARDS REHAB & CARE CTR				1	REET ADDRESS, CITY, STATE, ZIP CODE 014 BURRELL AVE .EWISTON, ID 83501			
(X4) ID PREFIX TAG	(EACH DEFICIENCY	ATEMENT OF DEFICIENCIES MUST BE PRECEEDED BY FULL SC IDENTIFYING INFORMATION)	ID PREF TAG		PROVIDER'S PLAN OF CORREC (EACH CORRECTIVE ACTION SHO CROSS-REFERENCED TO THE APP DEFICIENCY)	OULD BE	(X5) COMPLETION DATE	
K 000	The facility is a sing construction. It wa has a large basembreakroom, and mais fully sprinklered a SNF/NF beds.  The following defic facility during the a conducted on 24-2 surveyed under the Edition, Existing He 11 March, 2003. In 483.70.  The Survey was conducted the Survey was conducted the Edition, Existing He 11 March, 2003. In 483.70.	gle story, Type V(111) Is built/completed in 1958. It ent used for classrooms, aintenance shop. The building and currently licensed for 127  diencies were cited at the above annual Fire/Life Safety survey 5 July, 2006. The facility was be LIFE SAFETY CODE, 200 be ealth Care Occupancy, adopted accordance with CFR 42, conducted by:  The safety survey  The		000		RECE	9 2006 ANDARDS	
EABORATOR	Y DIRECTOR'S OR PROV	IDER/SVPRLIER REPRESENTATIVE'S SIG	NATURE		TITLE		(X6) DATE	

Any deficiency statement ending with an asterisk (\*) denotes a deficiency which the institution may be excused from correcting providing it is determined that other safeguards provide sufficient protection to the patients. (See instructions.) Except for nursing homes, the findings stated above are disclosable 90 days following the date of survey whether or not a plan of correction is provided. For nursing homes, the above findings and plans of correction are disclosable 14 days following the date these documents are made available to the facility. If deficiencies are cited, an approved plan of correction is requisite to continued program participation.

STATEMENT OF DEFICIENCIES (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:		(X2) M A. BUI		PLE CONSTRUCTION  G 01 - ENTIRE BUILDING	(X3) DATE SURVEY COMPLETED		
		135103	B. WI	1G		07/2!	5/2006
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K 018 SS=D	Doors protecting corequired enclosures hazardous areas and those constructed of wood, or capable of minutes. Doors in required to resist the no impediment to the are provided with a the door closed. Do are permitted.	orridor openings in other than sof vertical openings, exits, or re substantial doors, such as of 1% inch solid-bonded core fresisting fire for at least 20 sprinklered buildings are only e passage of smoke. There is ne closing of the doors. Doors means suitable for keeping utch doors meeting 19.3.6.3.6 a.3.6.3 brohibited by CMS regulations cilities.	K	018	Left Blank inter	itionally	
	Based on observati it was determined t						
	1.) During a facility afternoon of 25 July 11:00AM and 12:40 and 225 were obse latch.	tour of the facility on the y, 2006, between the hours of AM, the doors of rooms 202 rved to not properly close and witnessed and noted by			Doors to Room 20 225 have been Re to met Live Safe? All other patient Roo Nave been check of	ry codici	वुव हर्द हि

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION  (X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:		(X2) MULTIPLE CONSTRUCTION  A. BUILDING  01 - ENTIRE BUILDING			(X3) DATE SURVEY COMPLETED			
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NAME OF PROVIDER OR SUPPLIER  THE ORCHARDS REHAB & CARE CTR			STREET ADDRESS, CITY, STATE, ZIP CODE  1014 BURRELL AVE  LEWISTON, ID 83501					
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K 018 K 027 SS=E	survey team and far NFPA 101 LIFE SA Door openings in s 20-minute fire prote 1¾-inch thick solid protective plates the from the bottom of Horizontal sliding d Doors are self-clos accordance with 18 not required to swii	age 2 AFETY CODE STANDARD  moke barriers have at least a ection rating or are at least bonded wood core. Non-rated at do not exceed 48 inches the door are permitted. cors comply with 7.2.1.14. ing or automatic closing in 0.2.2.2.6. Swinging doors are no with egress and positive ired. 19.3.7.5, 19.3.7.6,	K 02		in compliance. Patien doors has been Adde the Weekly maindena Rounds	7 to	V)33/04	
125 A (A (A (A) (A) (A) (A) (A) (A) (A) (A)	Based on observate that all doors in smand sealed against deficient practice a compartments.  Findings include:  During the facility to PM it was observed maintenance staff east annex hallway closed, the doors he between the meeting NFPA Standard: Not that doors in smokers.	is not met as evidenced by: ion, the facility failed to ensure toke barriers were self-closing the passage of smoke. This iffected two of six fire  our on 25 July, 2006, at 2:00 d by the survey team and that the smoke doors in the d did not close fully. When had a gap of one finger width ng edges.  FPA 101, Sect. 8.3.4.1 states e barriers shall completely leaving only the minimum			DOORS WERE REMODE  FIXEL to close as R  All other Tire Door  been checked to m  Life Safety code.  doors will be che  At EACH Tire drill  Ensure condinued	exed the		

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION  A. BUILDING 01 - ENTIRE BUILDING		(X3) DATE SURVEY COMPLETED	
		425402	B. WING		07/25/2006	
		135103			07/25	3/2006
	PROVIDER OR SUPPLIER CHARDS REHAB & CA	ARE CTR	1	EET ADDRESS, CITY, STATE, ZIP CODE 014 BURRELL AVE EWISTON, ID 83501		
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K 027	•	ge 3 ry for proper operation.	K 027	LEft Blank Indent	ionally	Solec 12
K 029 SS=F	One hour fire rated fire-rated doors) or extinguishing syste and/or 19.3.5.4 pro the approved autor option is used, the other spaces by sn doors. Doors are s field-applied protect.	construction (with ¾ hour an approved automatic fire m in accordance with 8.4.1 tects hazardous areas. When natic fire extinguishing system areas are separated from noke resisting partitions and self-closing and non-rated or tive plates that do not exceed bottom of the door are	K 029			
	Based on observat facility failed to ensing requirements for 3 are considered has were effected.  Findings include:  Observations mad PM on the 25 July, to 3 of 3 soiled utilithey were lacking to devices. These has located in the annual and the end of the	is not met as evidenced by: ion it was determined that the sure proper door closure of 3 soiled utility roooms which cardous areas. All 58 residents  be between 1:34 PM and 1:50 2006 revealed that the doors ty rooms did not secure, as he required self closure cardous utility rooms were ex main hall, the north annex, north annex hallway. When lid identify proper procedures		SELF closing hings been Applied to the Soild whilly Rooms Besides the SELF hinges the outs the doors Also he Slide bolt locks to Patient SAFETY. The ename supervisor wi All SELF closers to ex Roper wolding orde	Closing side of love o Ensuri maint ill check	*

(X1) PROVIDER/SUPPLIER/CLIA

STATEMENT OF DEFICIENCIES

PRINTED: 08/14/2006 FORM APPROVED OMB NO. 0938-0391

(X3) DATE SURVEY

AND PLAN OF CORRECTION	IDENTIFICATION NUMBER:	A. BUILDII	NG 01 - ENTIRE BUILDING	COMPLETED
	135103	B. WING _	Example of the state of the sta	07/25/2006
NAME OF PROVIDER OR SUPPLIER THE ORCHARDS REHAB & 0	CARE CTR		REET ADDRESS, CITY, STATE, ZIP CODE 1014 BURRELL AVE LEWISTON, ID 83501	
PREFIX (EACH DEFICIENC	ATEMENT OF DEFICIENCIES Y MUST BE PRECEEDED BY FULL LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRE (EACH CORRECTIVE ACTION SH CROSS-REFERENCED TO THE API DEFICIENCY)	OULD BE COMPLÉTION PROPRIATE DATE
	age 4 bserved and noted by rvisor and surveyor.	K 029	his monthly Audit	
Fire drills are held varying conditions. The staff is familia that drills are part Responsibility for assigned only to equalified to exercise conducted between announcement malarms. 19.7.1.3  This STANDARD Based on record in facility failed to as adequately trained potentially expose and all staff to sm.  Findings include:  An examination of 25 July, 2006 reversed conducted for the first quarter, first sand second shifts and third shifts of interview, 3 of 3 s.	at unexpected times under at least quarterly on each shift. It with procedures and is aware of established routine. It planning and conducting drills is ompetent persons who are see leadership. Where drills are in 9 PM and 6 AM a coded at be used instead of audible at the LTC staff was at to respond to fires. This did the census of 58 residents oke and fire in the facility.  If the facility's fire drill record on ealed that fire drills were not second and third shift in the shift in the second quarter, first in the third quarter, and second the fourth quarter. Upon that for the event of a fire related	K 050	FIRE deills had to completed or doe when I, the Adm became Aware Maintenance sup was terminated corporate office Sent a maintenance From another bu to Assist with lack of docume And to train the Maintenance supe Since that time deills have been As Required And Signed off by m ensure compliance.	unertid. inistrator, the eloisor The immediatly neeman wilding the ntation e New erusor all Fire completed are

(X2) MULTIPLE CONSTRUCTION

		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION  A. BUILDING 01 - ENTIRE BUILDING		(X3) DATE SURVEY COMPLETED		
		135103	B. WING		07/25/2006		
NAME OF PROVIDER OR SUPPLIER  THE ORCHARDS REHAB & CARE CTR				10	REET ADDRESS, CITY, STATE, ZIP CODE 014 BURRELL AVE EWISTON, ID 83501		
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K 050	,	were acknowledged by the	K	)50			
K 056 SS=F	If there is an autom installed in accorda for the Installation of provide complete or building. The syste accordance with NF Inspection, Testing Water-Based Fire F supervised. There supply for the syste systems are equipped switches, which are building fire alarm services.	atic sprinkler system, it is nee with NFPA 13, Standard of Sprinkler Systems, to overage for all portions of the im is properly maintained in FPA 25, Standard for the and Maintenance of Protection Systems. It is fully is a reliable, adequate water im. Required sprinkler bed with water flow and tamper electrically connected to the system. 19.3.5	K		Maintenance Supersi Paxed copy of spe System inspection 7/206/06. Annual i NAS DEEN Added Maintenance Supe Annual inspection to Ensule complia An Annual DASES. Kitchen Hood inspection was completed on	ives or	
	interview, it was de- ensured that the sp and tested annually of the staff and resi Findings include: Observation on 25 inspection tag, affix system, had been re extinguishing syste conducted on 17 M	on, record review and termined the facility had not rinkler system was inspected 7. This Failure affected 100% dents.  July, 2006, disclosed that the red to the riser for the sprinkler marked to show the last m inspection had been ay, 2005. Review of validated the last inspection.			WAS completed on (SEE Attached copy has Also been Adde the Annual mainten schedule to Ensua compliance.	3. This ed to	

		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER:	(X2) MULTIPLE CONSTRUCTION			(X3) DATE SURVEY COMPLETED	
			A. BUILDING 01 - ENTIRE BUILDING				
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K 056		luly, 2006 that the sprinkler had not conducted the annual	K 0				
K 147 SS=F	Electrical wiring and with NFPA 70, Nat	FETY CODE STANDARD d equipment is in accordance ional Electrical Code. 9.1.2 s not met as evidenced by: ion the facility failed to	K 14	2 4	lectrical panel plu AUE DEEN INSTALL NE DREAKER PANELS LOUER HAS DEEN N THE DREAKER DON	c to REPlace	d
	maintain electrical potential exposure census of 58 reside	canels by preventing a to live circuits. The facility had ents all of whom were in ected in the event a fire had		2	nsule the safel 11/ Resident's c	Derson	
i.	circuitry was observed 2006, one was located for the "DW" Freez the other was located West wings and in panel at 11:25 AM.	f exposed electrical panel yed in the facility on 25 July, ated in the sub electrical panel ers in basement at 11:21 AM, ed between the South and the A/C heating electrical served and noted by surveyor			II ElEctrical Panels DE inspected on a DADES by the mai DADES by the mai Supervisor to E COMPLIANCE.	manafa auuc a	Š
A subject of	and maintenance s	upervisor.					

If continuation sheet 1 of 1

Bureau of Facility Standards (X3) DATE SURVEY STATEMENT OF DEFICIENCIES (X1) PROVIDER/SUPPLIER/CLIA (X2) MULTIPLE CONSTRUCTION AND PLAN OF CORRECTION COMPLETED IDENTIFICATION NUMBER: 01 - ENTIRE BUILDING A. BUILDING B. WING 07/25/2006 135103 STREET ADDRESS, CITY, STATE, ZIP CODE NAME OF PROVIDER OR SUPPLIER **1014 BURRELL AVE** THE ORCHARDS REHAB & CARE CTR LEWISTON, ID 83501 PROVIDER'S PLAN OF CORRECTION SUMMARY STATEMENT OF DEFICIENCIES (X5) (X4) ID COMPLETE (EACH DEFICIENCY MUST BE PRECEEDED BY FULL (EACH CORRECTIVE ACTION SHOULD BE PREFIX PRÉFIX DATE CROSS-REFERENCED TO THE APPROPRIATE REGULATORY OR LSC IDENTIFYING INFORMATION) TAG TAG DEFICIENCY) C 000 C 000 INITIAL COMMENTS Please Accept this The Administrative Rules of the Idaho AS OUR Plan of Correction Department of Health and Welfare, Skilled Nursing and Intermediate Care Facilities are found in IDAPA 16, Title 03, Chapter 2. The facility is a single story, Type V(111) construction. It was built/completed in 1958. It has a large basement used for classrooms, breakroom, and maintenance shop. The building is fully sprinklered and currently licensed for 127 SNF/NF beds. The following deficiencies were cited at the above facility during the annual Fire/Life Safety survey conducted on 24-25 July, 2006. The facility was surveyed under IDAPA 16.03.02, Rules and Minimum Standards for Skilled Nursing and Intermediate Care Facilities. The Survey was conducted by: Chris Laumann, Health Facility Surveyor SEE Flags for Plan of consection C 230 C 230 02.106,02,b b. Existing facilities licensed prior to the effective date of these rules, regulations and minimum standards and in compliance with a previous edition of the Life Safety Code may continue to comply with the edition in force at that time. RECEIVED This Rule is not met as evidenced by: Refer to Federal K tags 018, 027, 029, 050, 056, AUG 2 9 2006 and 147. FACILITY STANDARDS Bureau of Facility Standards (X6) DATE OR PROVIDER/SUPPLIER

NVE'S SIGNATURE

ZIT621

STATE FORM